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Patent
Attorney Docket: 266/171

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
MIROCHNITCHENKO, Oleg et al.) Group Art Unit: 1642
Serial No.: 09/960,631)
Filed: September 20, 2001)
For: SOLUBLE ISCHEMIA ACTIVATED)
PROTEIN)
)

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TRANSMITTAL OF MISSING PARTS

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Sir:

I. DOCUMENTS ENCLOSED:

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR § 1.53(f)**, which was mailed by the Patent Office on October 18, 2001, enclosed are:

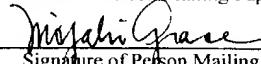
- Declaration
- Power of Attorney: Separate or Combined with Declaration
- Assignment of the invention to UNIVERSITY OF MEDICINE AND DENTISTRY (together with PTO Form 1595)
- A copy of the Notice to File Missing Parts of Application under 37 CFR § 1.53(f)
- Preliminary Amendment

LA-216830.1

CERTIFICATE OF MAILING
(37 C F R. §1 8a)

I hereby certify that this paper (along with any referred to as being attached or Enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

December 18, 2001
Date of Deposit

Miyabi Grace
Name of Person Mailing Paper

Signature of Person Mailing Paper

Patent
Attorney Docket: 266/171

- Transmittal of Substitute Drawings with Substitute Drawings (7 sheets)
- Submission of Sequence Listing with sequence listing in CRF and paper copy
- Request for Correction to Filing Receipt with marked copy of Filing Receipt

II. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

| EXTENSION (months) | FEE FOR SMALL ENTITY | FEE FOR OTHER THAN SMALL ENTITY |
|-------------------------------|---------------------------------|--|
| <input type="checkbox"/> | one month | \$55.00 |
| <input type="checkbox"/> | two months | \$200.00 |
| <input type="checkbox"/> | three months | \$460.00 |
| <input type="checkbox"/> | four months | \$720.00 |
| <input type="checkbox"/> | five months | \$980.00 |

Fee

- If any extension fee is required, please consider this a petition therefor.

III. FILING FEES

- Applicant claims small entity status pursuant to 37 CFR 1.27.

| BASIC FILING FEE: | | | | | | \$740.00 | | | | |
|--|-------|-----------------|----|---|----|--|--|--|--|--|
| Total Claims | 83 | - | 20 | = | 63 | x \$18.00 \$1,134.00 | | | | |
| Independent Claims | 20 | - | 3 | = | 17 | x \$84.00 \$1,428.00 | | | | |
| Multiple Dependent Claims | \$280 | (if applicable) | | | | <input type="checkbox"/> \$0.00 | | | | |
| Surcharge 37 CFR § 1.16(e) | \$130 | (if applicable) | | | | <input checked="" type="checkbox"/> \$130.00 | | | | |
| TOTAL OF ABOVE CALCULATIONS | | | | | | \$3,432.00 | | | | |
| Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. | | | | | | <input checked="" type="checkbox"/> \$1,716.00 | | | | |
| Extension of Time (from above) | | | | | | \$0.00 | | | | |
| Assignment -- \$40 (if applicable) | | | | | | <input checked="" type="checkbox"/> \$40.00 | | | | |
| TOTAL FEES SUBMITTED HEREWITH | | | | | | \$1,756.00 | | | | |

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IV. METHOD OF PAYMENT OF FEES:

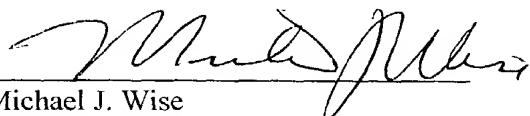
- A check in the amount of _____ is enclosed to cover the above fee(s).
- Charge Lyon & Lyon's Deposit Account No. **12-2475** in the amount of **\$1,756.00**.
- The Commissioner is authorized to charge Lyon & Lyon's Deposit Account No. **12-2475** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. **12-2475**.

Respectfully submitted,

LYON & LYON LLP

Dated: 12-17-01

By:


Michael J. Wise
Reg. No. 34,047



22249

PATENT TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|--|------------------------|
| 09/960,631 | 09/20/2001 | Oleg Mirechnichenko Oleg Mirechnichenko | 266/171 |

CONFIRMATION NO. 4309

22249
LYON & LYON LLP
633 WEST FIFTH STREET
SUITE 4700
LOS ANGELES, CA 90071

FORMALITIES LETTER



OC00000006928979

#3

Date Mailed. 10/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/25/2002 NM0HABX1 060000004 122475 09960631

FILED UNDER 37 CFR 1.53(b)

| | | |
|-----------|--------|----|
| 01 FC:201 | 370.00 | US |
| 02 FC:203 | 567.00 | US |
| 03 FC:202 | 714.00 | US |
| 04 FC:205 | 15.00 | US |

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2494.
 - \$1134 for 63 total claims over 20.
 - \$1360 for 17 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3334.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible (see 37 CFR 1.84(o)).
- This application does not contain a statement that the content of the sequence listing information recorded

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in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY